

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5928 of 2026

Arising Out of PS. Case No.-763 Year-2024 Thana- SHASTRINAGAR District- Patna

Asha Singh W/o Rakesh Kumar Singh Resident of Aam Bagicha, Mahadev Puri, Singh Mansoon, P.O.- G.P.O., P.S.- Gardanibagh, Distt.- Patna (Bihar) 800001, Aadhar No. 355958508166

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roushan Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-02-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 1.875 litres of liquor from a Scooty.

4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from her conscious possession and she came to be implicated based on the fact that she is owner of the seized vehicle. It is next submitted that no prudent person would use



her own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated, it is further submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged, who also fled from the spot. It is also submitted that it is not the case of the prosecution that they saw woman fleeing.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shastri Nagar P.S. Case No. 763 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed her antecedent before this



Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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